

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

BRANDON PRYOR,)	
)	
Petitioner,)	
)	
v.)	Case No. 3:17-CV-624-JD-MGG
)	
WARDEN,)	
)	
Respondent.)	

OPINION AND ORDER

Brandon Pryor, a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in IYC 16-04-158 where a Disciplinary Hearing Officer (DHO) at the Plainfield Correctional Facility found him guilty of Use and/or Possession of a Cellular Device in violation of A-121 on May 12, 2016. ECF 1 at 1. As a result, Pryor was demoted from Credit Class 1 to Credit Class 2. *Id.*

After Pryor filed his petition, the Warden filed a motion to dismiss because the Indiana Department of Correction vacated the finding of guilt and sanctions and dismissed the disciplinary hearing challenged in the petition. ECF 10, ECF 11-1. Pryor objected to the motion to dismiss asserting the Warden had not restored the 45 days of earned credit time that he lost as a result of being demoted from Credit Class 1 to Credit Class 2. ECF 12 at 2-4, ECF 14 at 4-5, ECF 15 at 1. The Court then ordered the Warden to file a reply to the motion to dismiss addressing whether Pryor's earned credit time (as a result of his demotion in credit class) had been returned to him and providing the effective date that Pryor's demotion to Credit Class 2 had been reversed. ECF 16 at 2.

On April 24, 2018, the Warden filed a reply along with the declaration of Jennifer Farmer, Indiana Department of Correction, Director of Sentence Computation/Release. ECF 17, ECF 17-1. In her declaration, Farmer attests to the fact that she restored an additional 45 days to Pryor as a result of the credit class correction and also recalculated his earliest possible release date as May 1, 2018. ECF 17-1 at 2. Because Pryor's earned credit time has been restored and the challenged disciplinary proceeding and sanctions have been vacated by the Indiana Department of Correction, this case is now moot and must be dismissed. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003) (prisoner can challenge prison disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the Warden's motion to dismiss (ECF 10) is GRANTED and the case is DISMISSED. The clerk is DIRECTED to close this case.

SO ORDERED on May 18, 2018

 /s/ JON E. DEGUILIO
JUDGE
UNITED STATES DISTRICT COURT